



Stakeholder Announcement

USDA Establishes a New Program to Federally Recognize Qualifying State-Managed Plant Pest Programs

Washington, October 1, 2014 - The U.S. Department of Agriculture's (USDA) Animal and Plant Health Inspection Service (APHIS) today announced that it is implementing its Federally Recognized State Managed Phytosanitary (FRSMP) program, which becomes effective on October 1, 2014. The new program establishes a process to Federally recognize certain state-managed plant pest programs. It aligns plant health (phytosanitary) protection actions taken against certain plant pests when they are found in a consignment of goods imported into the United States or in a shipment that is moving interstate.

By coordinating certain U.S. plant pest restrictions related to both importations and interstate movement, APHIS will be able to better support and strengthen State-managed phytosanitary programs.

"By better harmonizing our import and interstate requirements, we strengthen our ability to advocate for safe, fair and reciprocal treatment of U.S. exports by our trading partners," said Osama El-Lissy, Deputy Administrator of APHIS' Plant Protection and Quarantine (PPQ) program. "The program also gives us the opportunity to remove entry requirements for pests that USDA and the states no longer consider a risk, and we have already eliminated those requirements for 74 such pests. Importers will benefit from this elimination of unnecessary import requirements."

For a plant pest to be considered in the FRSMP (pronounced "free-stamp") program, it must either be one that is not currently regulated by APHIS or one that APHIS is considering to no longer regulate under a Federal program, and it must be of limited distribution within the United States. If a pest is regulated under the FRSMP program and it is detected in a shipment arriving at a U.S. port of entry, a U.S. Customs and Border Protection Agriculture Specialist or APHIS Plant Protection and Quarantine Officer may impose some control action in reference to that pest: for example, issue an Emergency Action Notification (PPQ Form 523) to the importer ordering that phytosanitary mitigation actions be taken. Such control actions depend on the specific FRSMP requirements related to the pest and may include mitigation treatment (for example, fumigation), possible re-direction to a non-FRSMP State, re-exportation, or destruction of the shipment as a last resort. APHIS will impose the least restrictive action it considers appropriate. The EAN would also include a link to the [FRSMP program Web site](#), where the importer can find detailed information about the likely required mitigations for FRSMP pests.

APHIS will accept and consider petitions from States interested in participating in the FRSMP program; namely, in obtaining Federal recognition of a State-managed phytosanitary program for a particular plant pest of concern to that State. APHIS will evaluate each State petition using rigorous criteria. States must provide detailed information about the absence or limited distribution of a pest of concern in their State, the pest's pathways and likelihood of introduction, potential economic and environmental harm that the pest of concern may cause and a State regulatory program for the pest that includes monitoring, surveillance and control methods.

On October 1, 2014, APHIS published a notice in Federal Register announcing the establishment of the FRSMP program. That notice can be accessed online at:

<http://www.regulations.gov/#!documentDetail;D=APHIS-2013-0086-0001>.

Additional information about the FRSMP program, including questions and answers for States and industry, is available on the APHIS Web site at www.aphis.usda.gov/frsmp.

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